

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

**WARREN BAHRINGER and
LISA BAHRINGER, Individually
and as husband and wife,**

Plaintiffs,
v. **No. 12cv1005 JCH/LAM**

**HARLEY-DAVIDSON, INC., and
HARLEY-DAVIDSON MOTOR
COMPANY, INC.,**

Defendant.

**ORDER GRANTING IN PART
MOTION FOR PROTECTIVE ORDER**

THIS MATTER is before the Court on Defendant's *Motion for Protective Order* (Doc. 35), filed March 15, 2013. The Court held a telephonic hearing on the motion on March 21, 2013, at which counsel for both parties were present. *See* [Doc. 39]. At the hearing, the parties agreed to conduct the testing of the wheels with enough time to meet Plaintiffs' expert deadline of **April 8, 2013**. Counsel for Defendant stated that he would withdraw the portion of the motion asking for fees and costs related to filing the motion. Having considered the motion, the parties' statements at the telephonic motion hearing, and the record of the case, the Court **FINDS** that the motion shall be **GRANTED in part** and **DENIED in part**.

IT IS THEREFORE ORDERED that Plaintiffs shall not conduct any destructive testing or break downs of the motorcycle wheels at issue in this matter until the parties agree on a date and time for the testing. The Court will not award Defendant fees or costs incurred in bringing this motion since this request has been withdrawn by Defendant.

IT IS SO ORDERED.

Lourdes A. Martinez
LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE